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*Attorneys for Defendants
Dimitry Rabkin and Aesthetic Consultants P.C.*

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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TAMARA WAREKA,

Plaintiff,

Civil Action No. 2:21-cv-06227-SRC-CLW

-against-

DECLARATION OF DIMITRY RABKIN

DIMITRY RABKIN; ADVANCED
AESTHETICS CONSULTANTS, P.C. dba
ESTHETICA MD and DOES 3 through
10 inclusive

Defendant

_____X

I Dimitry Rabkin, declare as follows:

1. I am a practicing physician and a principal of Defendant Advanced Aesthetics Consultants, P.C., which does business as Esthetica MD (“Esthetica”)
2. In or about early 2018, Esthetica was introduced to an individual named Jennifer Law, who represented that she owned and operated one or more companies that provided social media consulting services.
3. According to Ms. Law, those services included management of social media websites, including those on Facebook, Instagram and Twitter and the selection of content for those sites.
4. Ms. Law explained that she operated those entities through a company that she owned called LoveJuliet LLC (“LJLLC”) and that LJLLC provided consulting services through an affiliate called BuzzUp Digital. She also informed me that she owned and operated an internet website called Bergenmama.com, which was used to promote other internet properties that she managed for herself of third parties.
5. Based upon these representations, on or about March 5, 2018, Esthetica entered into an agreement with LJLLC (the LJLLC Agreement”), which provided that LJLLC and BuzzUp would provide certain digital services, including among other things, building audiences for Esthetica on Facebook, Instagram, and Twitter; posting to Facebook and Instagram daily; rotating pictures and posts; and providing photographic services. A copy of the LJLLC Agreement between Esthetica and LJLLC is annexed hereto as Exhibit “A.”
6. After Esthetica entered into the LJLLC Agreement, LJLLC and Law managed Esthetica’s social media accounts (the “Esthetica Social Media Sites”), including those on Facebook and Instagram, and selected and posted all content on those sites. LJLLC, Law, Buzzup and Bergenmama.com posted the subject photographs without my prior knowledge or consent.

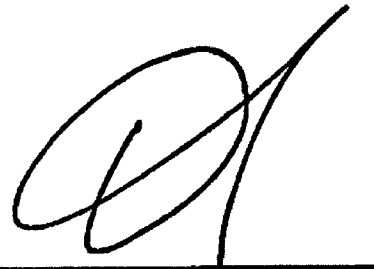
7. It was my understanding, based upon my conversations with Ms. Law that, in selecting information and images to be posted on the Esthetica Social Media Accounts, she, LJLLC, BuzzUp and Bergenmama.com would respect and comply with all prevailing laws, including those protecting copyrights.

8. Neither Ms. Law nor any of the entities she controlled informed Esthetica or me prior to posting information and photos on the Esthetica Social Media Sites.

9. To the best of my knowledge, the photographs that are the subject of this lawsuit all were selected and posted on the Esthetica Social Media Sites by Ms. Law and her companies.

I declare under the penalty of the laws of the United States that the foregoing is true and correct.

Dated: September 30, 2021

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a vertical line and a diagonal stroke.

Dimitry Rabkin